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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,948	11/09/2000	Ki Il Kim		3091

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Irving Keschner
21515 Hawthorne Boulevard
Suite 1150
Torrance, CA 90503

EXAMINER

TRAN, TUAN A

ART UNIT PAPER NUMBER

2682

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/708,948

Applicant(s)

KIM, KI IL

Examiner

Tuan A Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-19 and 24-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-19 and 24-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 15, 18-19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yahia (6,138,041) in view of Siddoway et al. (6,473,631).

Regarding claim 15, Yahia discloses an apparatus for mounting a cell phone on a vehicle dashboard inherently having top and front surface (See fig. 1 and col. 4 lines 39-59), the apparatus comprising: a frame 90, 92 adapted to hold the cell phone in an upright position (See fig. 1); means 82, 114 for adjusting the angular position of the frame whereby the front surface of the cell phone can be positioned to face the interior of the vehicle (See figs. 1, 3B, 4 and col. 4 line 60 to col. 5 line 26); means 120 for connecting the cell phone directly to the cigarette lighter outlet that is inherently on the front surface of the dashboard and electrically coupled to the vehicle's battery (See figs. 1, 3B, 4 and col. 4 line 60 to col. 5 line 26). However, Yahia does not mention that the cell phone includes a camera that being mounted to the front surface of the cell phone to view external and internal of the vehicle. Siddoway disclosed a cell phone including video camera 118 mounted to the front surface or rear surface of the cell phone that can view images captured from different directions (See figs. 1-2 and col. 3 lines 9-16).

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Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the cell phone as disclosed by Yahia & Sheng or Jones or Susko by the cell phone as disclosed by Siddoway for the advantage of providing visual images of surrounding environment to the users in accordance to their intentions.

Regarding claim 18, Yahia & Siddoway disclose as cited in claim 15. Yahia further discloses the frame includes a cell phone charging means 50 positioned therein (See fig. 3A and col. 4 lines 39-59).

Regarding claim 19, Yahia & Siddoway disclose as cited in claim 18. Yahia further discloses the cell phone is connected to the power source outlet via the charging means 50 (See fig. 1, 3A).

2. Claims 16-17 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yahia (6,138,041) in view of Siddoway et al. (6,473,631) as applied to claim 15 above, and further in view of Sheng et al. (6,037,746) or Jones, III et al. (6,379,178) or Susko et al. (5,996,866).

Regarding claims 16-17, Yahia & Siddoway disclose as cited in claim 15. However, they^{do} not mention that means 120 for connecting the cell phone to the cigarette lighter outlet formed within the top surface of the dashboard. Placing cigarette lighter outlets (or power source outlets) on various positions within the vehicle is purely a designer's choice in order to target a particular need of the user. For example, Sheng teaches to place a power source outlet in the trunk of the vehicle (See fig. 2 and col. 2 lines 25-31); Susko teaches to place a power source outlet within the console mounted

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in the vehicle (See fig. 3 and col. 2 lines 24-34); and Jones teaches to position a cigarette lighter on the front passenger-side dashboard. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to place a power source outlet/cigarette lighter outlet on the top surface of the dashboard for the advantage of accommodating the user's needs.

Claims 24-25 are rejected for the same reasons as set forth in claims 16-17.

3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yahia (6,138,041) & Siddoway (6,473,631) in view of Sheng et al. (6,037,746) or Jones, III et al. (6,379,178) or Susko et al. (5,996,866) as applied to claim 24 above, and further in view of Shimizu et al. (4,355,837) or Schultz (5,143,265).

Regarding claim 26, Yahia & Siddoway in view of Sheng or Jones or Susko disclose as cited in claim 24. However, they do not mention that the cell phone is held in a compartment formed in the dashboard. Using a compartment formed in the dashboard for various purposes is purely a designer's choice in order to target a particular need of the user. For example, Shimizu teaches to use the compartment formed in the dashboard for storing a small or hand baggage (See fig. 3 and col. 1 line 63 to col. 2 line 17); Schultz teaches to use the compartment formed in the dashboard for holding audiocassettes or other articles (See figs 1, 5-6 and col. 3 lines 6-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to hold a cell phone in the compartment formed in the dashboard for the advantage of accommodating the user's need.

Response to Arguments

Applicant's arguments filed 07/01/2004 have been fully considered but they are not persuasive.

a. The Applicant argued that none of the cited reference either alone or in combination discloses the Applicant's concept of mounting a camera based portable phone on top of a vehicle dashboard (See Remark, page 5-6). The Examiner respectfully disagrees with the Applicant's arguments because the differences between Yahia and the claimed subject matters are the power source (or the cigarette lighter outlet) placed on top of the dashboard and the camera cell phone. Since placing cigarette lighter outlets (or power source outlets) on various positions within the vehicle is purely a designer's choice in order to target a particular need of the user as suggested by Sheng or Jones or Susko, and cell phone having camera is well known as disclosed by Siddoway; therefore, it would have been obvious to one skilled in the art to place the camera cell phone on top of the dashboard for the advantage of accommodating the user's need (See above rejections for more details). For that reasons, the Examiner remains the rejections for all pending claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan Tran** whose telephone number is **(703) 605-4255**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Vivian Chin**, can be reached at **(703) 308-6739**.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

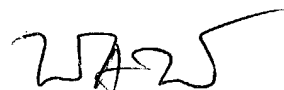
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Tuan Tran

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LEE NGUYEN
PRIMARY EXAMINER